

**File No. 8-32/2019-FC**  
Government of India  
Ministry of Environment, Forest and Climate Change  
(Forest Conservation Division)

\*\*\*\*\*

**Indira Paryavaran Bhawan**  
Aliganj, Jorbagh Road  
New Delhi – 110003  
Dated: 23<sup>rd</sup> April, 2020

To,

**The Principal Secretary (Forests),**  
Department of Forest and Environment,  
Government of Andhra Pradesh,  
Amravati.

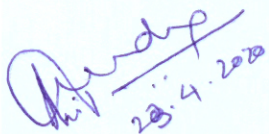
**Sub: Proposal for diversion of 365.66 hectare (i.e. 319.02 ha. for Lower Reservoir + 22.50 ha. for Power House & TRC Outlet + 6.96 ha. for Penstock + 8.02 Ha for Intake Structure + 2.43 ha. for Tail Race Channel and 6.73 ha. for Internal Roads) of forest land in Compartment Nos. 113, 114, 115, 116 and 117 of Gani RF, Kurnool Range, Kurnool Division for establishment of Integrated Renewable Energy Project, Pinnapuram in favour of M/s Greenko Energies Pvt. Ltd., Hyderabad-regarding.**

Sir,

I am directed to refer to the Government of Andhra Pradesh's letter No.1926/Section. II/2019 dated 12<sup>th</sup> November, 2019 on the subject mentioned above seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the said proposal has been examined by the Forest Advisory Committee (FAC) constituted by the Central Government under Section-3 of the aforesaid Act.

2. After careful examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, *in-principle/ Stage-I* approval of the Central Government is hereby accorded for non forestry use of forest land having extent 365.66 hectare (i.e. 319.02 ha. for Lower Reservoir + 22.50 ha. for Power House & TRC Outlet + 6.96 ha. for Penstock + 8.02 Ha for Intake Structure + 2.43 ha. for Tail Race Channel and 6.73 ha. for Internal Roads) in Compartment Nos. 113, 114, 115, 116 and 117 of Gani RF, Kurnool Range, Kurnool Division for establishment of Integrated Renewable Energy Project, Pinnapuram in favour of M/s Greenko Energies Pvt. Ltd., Hyderabad, subject to the fulfilment of following conditions:

- i. Legal Status of the diverted forest land shall remain unchanged;
- ii. User Agency shall submit the approved Detailed Project Report (DPR) through the State Government;
- iii. The forest compartments (compartment Nos. 113, 114, 115, 116 and 117), which are getting adversely affected will be taken care of and afforestation (for improving canopy density from 'open' to 'moderately dense forest') will be taken up by the Forest Department at the cost of User Agency only to stabilize the rim of the reservoir i.e. 100 mts from the periphery of the HFL. Rest of the forest areas of affected compartments shall be taken up for improving canopy density through NPV, collected from this project;
- iv. User Agency will allow use of road infrastructure within project area to common public;
- v. As per site inspection report, over an extent of 8.15 ha within the 408.68 ha of non-forest land surveyed for compensatory afforestation are in the nature of streams / cart road / government lands etc. Hence, this 8.15 ha area shall be demarcated suitably;

  
23.4.2020




- vi. **The User Agency shall raise avenue plantation on either side of the road proposed in the proposal, at the project cost;**
- vii. **Compensatory afforestation:**
  - a) Compensatory afforestation shall be taken up by the Forest Department over 400.53 ha Non-forest land (land in Mangupalli Village, Sy.No.1 to 65 and Kamireddipadu in Sy. Nos.3 to 170 Ananthapuram Mandal, of SPSR Nellore District) at the cost of the User Agency. As far as practicable a mixture of local indigenous species will be planted and monoculture of a species has to be avoided.
  - b) The non-forest land proposed for CA shall be transferred and mutated in the name of Forest Department and notified as RF/PF prior to Stage-II approval. A copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, will be submitted by the State Government prior to Stage-II approval;
- viii. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- ix. **NPV:**
  - a) The State Government shall charge the Net Present Value(NPV) for the 365.66 ha forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard.
  - b) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
- x. ***The State Government shall submit a certificate certifying that no schemes/programmes with respect to plantation have been proposed or undertaken in the land identified for taking up Compensatory afforestation in last 10 years;***
- xi. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
- xii. Copy of approved Catchment Area Treatment (CAT) Plan, **if applicable** shall be submitted in accordance to para no. 4.8 (i) of Forest (Conservation) Act, 1980 Handbook and commensurate funds shall be deposited in the account of CAMPA through on-line portal;
- xiii. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- xiv. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>);
- xv. The land identified for the purpose of CA shall be clearly depicted on a Survey of India topo-sheet of 1:50,000 scale;
- xvi. The admissible non-forest land shall be identified for raising compensatory afforestation and the same shall be transferred and mutated in favour of the State Forest Department before issue of the Stage-II clearance. The non-forest land identified for raising Compensatory Afforestation

*[Signature]*  
23.4.2020



- shall be notified by the State Government as Reserve Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act, as the case may be, within a period of six months;
- xvii. The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate in consultation with State Forest Department in the account of Ad-hoc CAMPA of the concerned State through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- xviii. At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- xix. The Forest clearance will be for a period co terminus with the lease period specified in the lease agreement. The State Government will submit the lease agreement document specified in the lease agreement;
- xx. The user agency shall implement the R&R Plan as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India before the commencement of the project work. The said R&R Plan will be monitored by the State Government/Regional Office of MoEF &CC along with indicators for monitoring and expected observable milestones, **if applicable**;
- xxi. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- xxii. The user agency shall carry out muck disposal at pre designated sites in such a manner so as to avoid its rolling down;
- xxiii. The dumping area for muck disposal shall be stabilized and reclaimed by planting suitable species by the user agency at the cost of project under the supervision of State Forest Department. Retaining walls and terracing shall be carried out to hold the dumping material in place. Stabilization and reclamation of such dumping sites shall be completed before handing over the same to the State Forest Department in a time bound manner as per Plan;
- xxiv. The State Government and the user agency shall ensure that the tress available between full reservoir level (FRL) and FRL-4 meters are not felled;
- xxv. The User agency shall undertake afforestation along the periphery of the reservoir;
- xxvi. User agency shall provide free water for the forestry related projects;
- xxvii. No labour camp shall be established on the forest land and the User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- xxviii. The boundary of the diverted forest land, mining lease and safety zone, as applicable, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates;
- xxix. The layout plan of the proposal shall not be changed without the prior approval of the Central Government and the forest land shall not be used for any purpose other than that specified in the proposal;
- xxx. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
- xxxi. No damage to the flora and fauna of the adjoining area shall be caused;
- xxxii. The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- xxxiii. User agency either himself or through the State Forest Department shall undertake gap planting and soil & moisture conservation activities. The plan for plantation and SMC activities will be prepared and submitted to MoEF &CC prior to Stage-II Clearance;
- xxxiv. The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly;

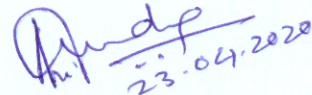
  
23.4.2020



- xxxv. The Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the para 1.21 of comprehensive guidelines issued vide this Ministry F. No.5-2/2017-FC dated 28th March, 2019;
- xxxvi. Any other condition that the concerned Regional Office of this Ministry may stipulate with the approval of competent authority in the interest of conservation, protection and development of forests & wildlife; and
- xxxvii. The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.
- xxxviii. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

After receipt of compliance report on fulfillment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be effected till final approval is granted by the Central Government in this regard.

Yours faithfully,



(Brijendra Swaroop)

Dy. Inspector General of Forests

**Copy to:-**

1. The PCCF (HoFF), Department of Forest, Government of Andhra Pradesh, Amravati.
2. The DDGF (Central), Regional Office (SEZ), MoEF&CC, Chennai.
3. The Nodal Officer (FCA), Department of Forest, O/o PCCF, Government of Andhra Pradesh, Amravati.
4. User Agency.
5. Monitoring Cell, Forest Conservation Division, MoEF&CC, New Delhi.
6. Guard File.